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CHAD DUGGINS
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 CHAD DUGGINS,

15 Defendant.
16

Case No. 1:22-mj-00112-BAM

**STIPULATION TO MODIFY BRIEFING
SCHEDULE; ORDER**

17 IT IS HEREBY STIPULATED, by and between the parties through their respective
18 counsel, Assistant United States Attorney Jeffrey Spivak, counsel for plaintiff, and Assistant
19 Federal Defender Reed Grantham, counsel for Chad Duggins, that a briefing schedule on the
20 government's December 11, 2023 motion to dismiss be modified in accordance with the
21 following.

22 On December 11, 2023, the government moved to dismiss this case pursuant to Rule
23 48(a) of the Federal Rules of Criminal Procedure, and did so "for reasons related to the mental
24 condition of [Mr. Duggins]," citing to 18 U.S.C. § 4246(a). Dkt. #27 at 2. On December 14,
25 2023, the Court set a hearing date for the government's motion on February 9, 2024, at 10:00
26 a.m., and issued an order directing the U.S. Marshals to transport Mr. Duggins in person for the
27 hearing. *See* Dkt. #28, #29. In addition, a briefing schedule was set, however, the parties
28 indicated that they would likely request to modify that schedule in light of the February 9, 2024

1 hearing date. Accordingly, the parties hereby stipulate and agree that the following briefing
2 schedule be set with respect to the motion to in this case.

- 3 • Defense opposition to be filed on or before January 26, 2024
- 4 • Any government reply to be filed on or before February 2, 2024

5 These dates are mutually agreeable dates for the parties and the parties make this request with the
6 intention of conserving time and resources for both the parties and the Court.

7
8 Respectfully submitted,

9 PHILLIP A. TALBERT
United States Attorney

10 Date: January 4, 2024

11 /s/ Jeffrey Spivak
JEFFREY SPIVAK
Assistant United States Attorney
Attorney for Plaintiff

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13 HEATHER E. WILLIAMS
Federal Defender

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15 Date: January 4, 2024

16 /s/ Reed Grantham
REED GRANTHAM
Assistant Federal Defender
Attorney for Defendant
17 CHAD DUGGINS

18 **ORDER**

19 **IT IS SO ORDERED.** The briefing schedule on the government's motion to dismiss is
20 hereby modified in accordance with the parties' stipulation above. The defense's opposition is to
21 be filed on or before January 26, 2024. Any government reply is to be filed on or before
22 February 2, 2024.

23 IT IS SO ORDERED.

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25 Dated: **January 5, 2024**

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28 UNITED STATES MAGISTRATE JUDGE